

EDW



Atty. Docket No.: 20563/2422

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.
Serial No.: 10/774,985
Filed: February 9, 2004
Entitled: Apparatus and Method for an
Ultrasonic Medical Device Operating
in a Torsional Mode

Examiner: Not Yet Assigned

Group Art Unit: 3737

Conf. No.: 9583

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 listing 3 references;
3. Copies of 1 Non-U.S. Cited Reference; and
4. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/2422. A duplicate of this transmittal letter is enclosed for this purpose.

Date: January 5, 2005

Respectfully submitted,

Name: David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



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**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A listing of the cited documents, as well as, for the Examiner's convenience, copies of all foreign patent documents and non-patent literature are enclosed. This application was filed after June 30, 2003, and copies of U.S. patents and U.S. patent applications are not required and are not enclosed.

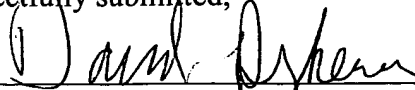
Pursuant to CFR § 1.97(e)(1), each item contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or International application. Because this statement is being filed within three months of receipt of the Search Report, no fee is believed to be due. A copy of the Search Report is included and cited on the enclosed PTO-1449.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

Date: January 5, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David J. Dykeman", written over a horizontal line.

Name: David J. Dykeman

Registration No.: 46,678

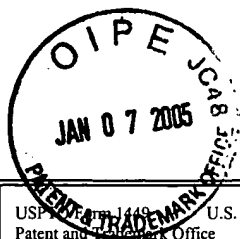
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USPTO Form 1449 Patent and Trademark Office U.S. Department of Commerce INFORMATION DISCLOSURE STATEMENT				Attorney Docket No. 20563/2422		Serial No. 10/774,985		
				Applicant(s): Rabiner et al.				
				Filing Date: February 9, 2004		Group: 3737		
U.S. PATENT DOCUMENTS								
Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)	
.		3,565,062	February 23, 1971	Kuris	128	24	June 13, 1968	
		20030212331	November 13, 2003	Fenton et al.	600	459	May 13, 2003	
.								
FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document No.	Publication Date	Country	Class	Subclass	Translation	
							YES	NO
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)								
	A	International Search Report based on PCT/US04/03695 dated November 26, 2004.						
EXAMINER					DATE CONSIDERED			
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</small>								
<small>**Copies of references not provided at the time of this submission.</small>								